

REMARKS

Claims 1-5, 19-26, 34-40, 45-48, 57, 60, 61 and 63 are pending. Favorable reconsideration is requested.

Claims 1, 12, 19, 21, 25, 26, 34-37, 45, 57, 60, 61 and 63 were rejected under 35 U.S.C. § 102(b) over U.S. Patent Publication 2001/5359 (Bergqvist). Claims 3-5, 22-24, 38-40, and 46-48 were rejected under 35 U.S.C. § 103 over Bergqvist in view of U.S. Patent Publication 2003/3921 (Laakso). Applicant submits that the independent claims are patentable over the cited references for at least the following reasons.

Independent claim 1 is directed to a radio-resource management method. The method includes a control step of, based on radio-link quality information, including at least a received level of a radio link, to be notified from at least one of a plurality of radio base stations and radio terminals belonging to respective different operators, taking alteration control of a frequency that the radio base station utilizes on the basis of total received levels of other base stations that use the same frequency that is used by the radio base station.

In the recited limitation, alteration control of (i.e., control of the changing of) the frequency a base station utilizes is done based on the total received levels of other base stations that use the same frequency used by the radio base station.

The position was taken in the Office Action that the cited paragraphs of Bergqvist teach the recited limitation. Applicant disagrees.

Bergqvist broadcasts call admission information relating to a frequency that is congested. According to Bergqvist, the broadcast message contains information about the cells within the accessible area that use the congested carrier frequency. By means of the broadcast message, user equipment will be prohibited from initiating a call setup to the cells having the congested frequency, forcing the equipment to request call setup in an unrestricted neighbor cell which does not use the congested frequency. See, e.g., Bergqvist, at paragraph [0026].

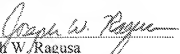
Thus, Bergqvist instructs user equipment, such as mobile terminals, to use *other* cells, with different frequencies, so as to avoid further congesting a congested frequency. This is not the same thing as the recited limitation of claim 1 in which the frequency a base station utilizes is controlled based on the total received levels of other base stations that use the same frequency used by the radio base station. Bergqvist's method prohibits mobile terminals from initiating a call to cells that have congested frequencies, but does not teach controlling the changing of the frequency a base station utilizes is done based on the total received levels of other base stations that use the same frequency used by the radio base station. For at least this reason, Bergqvist does not anticipate independent claim 1.

The other independent claims recite, inter alia, a substantially similar feature and are believed patentable for at least the same reasons as claim 1. The dependent claims are believed patentable for at least the same reasons as their respective base claims.

In view of the above remarks, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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